

# FACSIMILE COVER SHEET

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**JUN 16 2006**

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From: Michael P. Straub, Esq.

Date: June 16, 2006

Number of Pages Including Cover: 12

MESSAGE: FORMAL SUBMISSION OF:

- 1) Transmittal (1 pg.);
- 2) Fee transmittal (1 pg.)  
(in duplicate); and
- 3) Amendment 8.

Attorney Docket No.: TW-7 (TWC 01-02)

Appl. No.: 09/923,038

Applicant: Paul D. Brooks

Filed: August 6, 2001

Title: **TECHNIQUE FOR REVERSE TRANSPORT OF DATA IN A HYBRID FIBER COAX  
CABLE SYSTEM**

TC/A.U.: 2611

Examiner: Sumaiya A. Chowdhury

## CERTIFICATE OF FACSIMILE TRANSMISSION

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Michael P. Straub

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Michael P. Straub  
Signature

June 16, 2006  
Date

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Modified PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|  |  |                        |                      |
|--|--|------------------------|----------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i> |  | Application Number     | 09/923,038           |
|  |  | Filing Date            | August 6, 2001       |
|  |  | First Named Inventor   | Paul D. BROOKS       |
|  |  | Group Art Unit         | 2611                 |
|  |  | Examiner Name          | Sumaiya A. Chowdhury |
| Total Number of Pages in This Submission   |  | Attorney Docket Number | TW-7 (TWC 01-02)     |

| ENCLOSURES <i>(check all that apply)</i>  |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers <i>(for an Application)</i><br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i><br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Postcard Receipt<br><input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> |
| Remarks   |  |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                                     |
|--|-------------------------------------|
| Firm or Individual name                    | Michael P. Straub (Reg. No. 36,941) |
| Signature                                  | <i>Michael P. Straub</i>            |
| Date                                       | June 16, 2006                       |

| CERTIFICATE OF FACSIMILE   |                          |
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| I hereby certify that this correspondence is being facsimile transmitted to the United States Patents and Trademark Office on this date: |                          |
|  | June 16, 2006            |
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| Signature  | <i>Michael P. Straub</i> |
| Date   | June 16, 2006            |

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003/012

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Attorney Docket No.: TW-7 (TWC 01-02)

Appl. No.: 09/923,038

Applicant: Paul D. BROOKS

Filed: August 6, 2001

Title: TECHNIQUE FOR REVERSE TRANSPORT OF DATA IN A HYBRID FIBER  
COAX CABLE SYSTEM

TC/A.U.: 2611

Examiner: Sumaiya A. Chowdhury

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action mailed on December 16, 2005, which set a period for response to expire on March 16, 2006, that period being extended three (3) months to expire on June 16, 2006, please amend the above identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.

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JUN 16 2006

Modified PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2006

Effective 12/08/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 0.00

## Complete if Known

Application Number 09/923,038

Filing Date August 6, 2001

First Named Inventor Paul D. BROOKS

Examiner Name Sumaiya A. Chowdhury

Art Unit 2611

Attorney Docket No. TW-7 (TWC 01-02)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

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Straub &amp; Pokotylo

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submitted herewith  
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## FEE CALCULATION

## 1. BASIC FILING, SEARCH &amp; EXAMINATION FEES

| Large Entity<br>Fee<br>(\$) | Small Entity<br>Fee<br>(\$) | Fee Description | Fee Paid   |
|-----------------------------|-----------------------------|-----------------|------------|
| 1000                        | 500                         | Utility fee     |            |
| 430                         | 215                         | Design fee      |            |
| 660                         | 330                         | Plant fee       |            |
| 1400                        | 700                         | Reissue fee     |            |
| 200                         | 100                         | Provisional fee |            |
| SUBTOTAL (1)                |                             |                 | (\$) 00.00 |

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  - 32\*\* =  X  50.00 =

Independent Claims  - 6\*\* =  X  200.00 =

Multiple Dependent  =

| Large Entity<br>Fee<br>Code (\$) | Small Entity<br>Fee<br>Code (\$) | Fee Description   |
|----------------------------------|----------------------------------|---|
| 1202 50                          | 2202 25                          | Claims in excess of 20                                    |
| 1201 200                         | 2201 100                         | Independent claims in excess of 3                         |
| 1203 360                         | 2203 180                         | Multiple dependent claim, if not paid                     |
| 1204 200                         | 2204 100                         | **Reissue independent claims over original patent         |
| 1205 50                          | 2205 25                          | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$) 0

\*\*or number previously paid, if greater, For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity<br>Fee<br>Code (\$)                | Small Entity<br>Fee<br>Code (\$) | Fee Description  | Fee Paid |
|---|----------------------------------|--|----------|
| 1051 130  | 2051 65                          | Surcharge - late filing fee or oath  |          |
| 1052 50   | 2052 25                          | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130  | 1053 130                         | Non-English specification  |          |
| 1812 2,520                                      | 1812 2,520                       | For filing a request for ex parte reexamination                            |          |
| 1804 920*                                       | 1804 920*                        | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*                                     | 1805 1,840*                      | Requesting publication of SIR after Examiner action                        |          |
| 1251 120  | 2251 60                          | Extension for reply within first month                                     |          |
| 1252 450  | 2252 225                         | Extension for reply within second month                                    |          |
| 1253 1,020                                      | 2253 510                         | Extension for reply within third month                                     |          |
| 1254 1,590                                      | 2254 795                         | Extension for reply within fourth month                                    |          |
| 1255 2,160                                      | 2255 1,080                       | Extension for reply within fifth month                                     |          |
| 1401 500  | 2401 250                         | Notice of Appeal   |          |
| 1402 500  | 2402 250                         | Filing a brief in support of an appeal                                     |          |
| 1403 1,000                                      | 2403 500                         | Request for oral hearing   |          |
| 1451 1,510                                      | 1451 1,510                       | Petition to institute a public use proceeding                              |          |
| 1452 500  | 2452 250                         | Petition to revive - unavoidable   |          |
| 1453 1,500                                      | 2453 750                         | Petition to revive - unintentional   |          |
| 1501 1,400                                      | 2501 700                         | Utility issue fee (or reissue)   |          |
| 1502 800  | 2502 400                         | Design issue fee   |          |
| 1503 1,100                                      | 2503 550                         | Plant issue fee  |          |
| Petitions to the Commissioner - check fee sheet |                                  |  |          |
| 1807 50   | 1807 50                          | Processing fee under 37 CFR 1.17(c)  |          |
| 1806 180  | 1806 180                         | Submission of Information Disclosure Stmt                                  |          |
| 8021 40   | 8021 40                          | Recording each patent assignment per property (times number of properties) |          |
| 1809 790  | 2809 395                         | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 790  | 2810 395                         | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 790  | 2801 395                         | Request for Continued Examination (RCE)                                    |          |
| 1802 900  | 1802 900                         | Request for expedited examination of a design application                  |          |

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 00.00

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type) Michael P. Straub Registration No. 36,941 Telephone (732) 542-9070

Signature *Michael P. Straub* Date June 16, 2006

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2006

Effective 12/08/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (S) 0.00

**Complete if Known**

|                      |                      |
|----------------------|----------------------|
| Application Number   | 09/923,038           |
| Filing Date          | August 6, 2001       |
| First Named Inventor | Paul D. BROOKS       |
| Examiner Name        | Sumaiya A. Chowdhury |
| Art Unit             | 2611                 |
| Attorney Docket No.  | TW-7 (TWC 01-02)     |

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-1049

Deposit Account Name Straub & Pokotylo

The Commissioner is authorized to: (check all that apply)

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☒ Charge fee(s) indicated below, except for the filing fee in the to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING, SEARCH & EXAMINATION FEES**

| Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid         |
|-----------------------|-----------------------|-----------------|------------------|
| 1000                  | 500                   | Utility fee     |                  |
| 430                   | 216                   | Design fee      |                  |
| 680                   | 330                   | Plant fee       |                  |
| 1400                  | 700                   | Reissue fee     |                  |
| 200                   | 100                   | Provisional fee |                  |
| <b>SUBTOTAL (1)</b>   |                       |                 | <b>(S) 00.00</b> |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims       | 32** =       | X 50.00 =      |          |
| Independent Claims | 6** =        | X 200.00 =     |          |
| Multiple Dependent |              |                |          |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description   |
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**SUBTOTAL (2)** (S) 0

\*\*or number previously paid, if greater, For Reissues, see above

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

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| 1503 1,100                 | 2503 550                   | Plant issue fee  |          |
|                            |                            | Petitions to the Commissioner - check fee sheet                            |          |
| 1807 50                    | 1807 50                    | Processing fee under 37 CFR 1.17(c)  |          |
| 1806 180                   | 1806 180                   | Submission of Information Disclosure Stmt                                  |          |
| 8021 40                    | 8021 40                    | Recording each patent assignment per property (times number of properties) |          |
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| 1801 790                   | 2801 395                   | Request for Continued Examination (RCE)                                    |          |
| 1802 900                   | 1802 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (S) 00.00

**SUBMITTED BY**

|                   |                          |                                   |               |           |                |
|-------------------|--------------------------|-----------------------------------|---------------|-----------|----------------|
| Name (Print/Type) | Michael P. Straub        | Registration No. (Attorney/Agent) | 36,941        | Telephone | (732) 542-9070 |
| Signature         | <i>Michael P. Straub</i> | Date                              | June 16, 2006 |           |                |

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